

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

TAREK J. HELOU (CABN 218225)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7071  
Facsimile: (415) 436-7234  
Tarek.J.Helou@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-0653-SI
	)	
Plaintiff,	)	<b>DECLARATION OF TAREK J. HELOU IN</b>
	)	<b>SUPPORT OF UNITED STATES'</b>
v.	)	<b>OPPOSITION TO DEFENDANT'S</b>
	)	<b>MOTION TO DISMISS THE</b>
ABEL LOPEZ-MENERA,	)	<b>INDICTMENT</b>
a/k/a Jose Lopez-Martinez,	)	
a/k/a Bernabe Banderas Lopez,	)	
	)	Date: December 20, 2007
Defendant.	)	Time: 10:00 a.m.
	)	Judge: The Honorable Susan Illston

1 I, Tarek J. Helou, declare as follows:

2 1. I am an Assistant United States Attorney in the Northern District of California  
3 and am counsel of record for the United States in the above-captioned case, United States v.  
4 Abel Lopez-Menera. I submit this declaration to authenticate documents that I produced to  
5 defense counsel during discovery in this case. I obtained all of the attached documents from  
6 Immigration and Customs Enforcement, which is part of the Department of Homeland Security.  
7 All of the attached documents are contained in defendant Abel Lopez-Menera's Alien File.

8 2. Attached hereto as Exhibit A is a true and correct copy of the defendant's TECS  
9 criminal history report. This document is bates-labeled AL-000144-AL-000155.

10 3. Attached hereto as Exhibit B is a true and correct copy of a December 22, 1997  
11 Warrant of Arrest of Alien, naming defendant Abel Lopez-Menera. This document is bates-  
12 labeled AL-000085.

13 4. Attached hereto as Exhibit C is a true and correct copy of a March 4, 1998 Notice  
14 of Intent to Issue Final Administrative Removal Order, naming defendant Abel Lopez-Menera.  
15 This document is bates-labeled AL-000088.

16 5. Attached hereto as Exhibit D is a true and correct copy of a June 8, 1998 Notice  
17 of Intent to Issue Final Administrative Removal Order, naming defendant Abel Lopez-Menera.  
18 This document is bates-labeled AL-000046.

19 6. Attached hereto as Exhibit E is a true and correct copy of a September 18, 1998  
20 Notice to Appear, naming defendant Abel Lopez-Menera. This document is bates-labeled AL-  
21 000036-AL-000045.

22 7. Attached hereto as Exhibit F are true and correct copies of an Order of  
23 Immigration Judge, its accompanying Warrant of Removal/Deportation, and its accompanying

24 //

25 //

26 //

27 //

28 //

Warning to Alien Ordered Removed or Deported, all dated September 24, 1998 and naming defendant Abel Lopez-Menera. These documents are bates-labeled AL-000016-AL-000019.

I declare under penalty of perjury that the foregoing is true and correct. Sworn this 15th day of December, 2007, at San Francisco, California.

/s/  
TAREK J. HELOU